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Attorney for defendant Sean Michael Cole

DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,	(	Criminal Case No. 05-00039
	)	
Plaintiff,	(	REQUEST FOR DISCOVERY
	)	
vs.	(	
	)	
GERARDO ELOY GONZALEZ, JR., et	)	
al.,	(	
	)	
Defendants.	(	

Defendant Sean M. Cole (hereinafter "defendant")  
respectfully requests:

1. That the government disclose to defendant and make available for inspection, copying, or photographing any relevant written or recorded statements made by defendant, or copies thereof, within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government; that portion of any written record containing the substance of any relevant oral statement made by defendant whether before or after arrest in response to interrogation by any person then known to defendant to be a government agent; and recorded testimony of defendant before a grand jury which relates to the offense charged.

**FILED**  
DISTRICT COURT OF GUAM

JUN 24 2005

MARY L.M. MORAN  
CLERK OF COURT

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ORIGINAL

**(REQUEST FOR DISCOVERY)**  
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2. That the government disclose to defendant the substance of any other relevant oral statement made by defendant whether before or after arrest in response to interrogation by any person then known by defendant to be a government agent if the government intends to use that statement at trial.

3. That the government furnish to defendant such copy of defendant's prior criminal record, if any, as is within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government.

4. That the government permit defendant to inspect and copy or photograph books, papers, documents, photographs, tangible objects, buildings and places, and copies and portions thereof, which are within the possession, custody, or control of the government, and which are material to the preparation of defendant's defense or are intended for use by the government as evidence in chief at the trial, or were obtained from or belong to defendant.

5. That the government permit defendant to inspect and copy or photograph any results or reports of physical and mental examinations, and of scientific tests and experiments, and copies thereof, which are within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the

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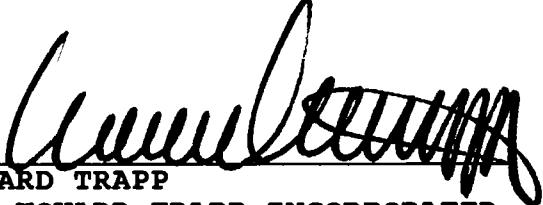
government, and which are material to the preparation of defendant's defense or are intended for use by the government as evidence in chief at the trial.

6. That the government give to defendant notice of its intention to use (in its evidence in chief at trial) any of the evidence requested by defendant in this request for discovery.

7. That the prosecution provide reasonable notice in advance of trial of the general nature of any evidence of other crimes, wrongs, or acts it intends to introduce at trial.

Dated, Hagåtña, Guam,

June 24 2005.

  
HOWARD TRAPP  
For HOWARD TRAPP INCORPORATED  
Attorney for defendant  
Sean Michael Cole

(REQUEST\DISCOVERY.SCole)

DECLARATION OF SERVICE

I, Leilani Ada, declare that I am an administrative assistant employed in the office of Howard Trapp Incorporated, Howard Trapp, Esq., the attorney for defendant Sean Michael Cole herein, and that I served the document to which this declaration is annexed on Marivic P. David, Esq., Assistant United States Attorney, the attorney for plaintiff herein, by leaving a copy at Office of the United States Attorney for Guam and the Northern Mariana Islands, Suite 500, Sirena Plaza, 108 Hernan Cortez Avenue, Hagåtña, Guam, Ms. David's last known address, with a person in charge thereof, on June 24, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2005, at Hagåtña, Guam.

  
LEILANI ADA